

# EXHIBIT 18

United States District Court  
For the Northern District of California

FILED

JAN 10 2003

RICHARD W. ARMSTRONG  
CLERK OF COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELAINE CONLEY, an individual; DOROTHY  
WHITE, an individual; and WELDON WHITE,  
an individual,

Plaintiffs,

v.

R.J. REYNOLDS TOBACCO CO., et al.,

Defendants.

No. C 00-1740 SBA

JUDGMENT

4446

Defendant's Counsel are directed to serve this  
order upon all other parties in this actions.

In accordance with the Court's Order Granting Defendants' Renewed Motions for Judgment  
as a Matter of Law and the Court's previous Orders in this action,

IT IS HEREBY ORDERED THAT final judgment is entered in favor of defendants on all of  
plaintiffs' claims for relief.

IT IS SO ORDERED.

Dated: January 9, 2003

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

JAN 10 2003

**Categories**

- Lawsuits

**USA, by State**

- California

**Lawsuits**

- Conley

**Organizations**

- MO

- RJR

**● ☐ Reynolds Tobacco Wins Individual Smoking and Health Suit in California****Jump to full article:** PR Newswire, 2002-12-31**Author:** Source: R.J. Reynolds Tobacco Holdings, Inc.**Intro:**

A federal court judge in California today entered a directed verdict in favor of R.J. Reynolds Tobacco Company and Philip Morris Incorporated in Conley. The Conley case is an individual smoking and health suit that was heard in the U.S. District Court for the Northern District of California. The trial began on Dec. 4, 2002, in Oakland. . .

After the plaintiffs rested their case, Judge Sandra B. Armstrong entered a verdict in favor of Reynolds Tobacco and Philip Morris because the plaintiffs failed to produce sufficient evidence to support their claims that the companies were responsible for the death of Frank White.

"As the plaintiffs presented their case, it became increasingly clear that their claims against Reynolds Tobacco had no merit," said Stephen J. Kaczynski, Reynolds Tobacco's lead counsel for this case. "Judge Armstrong rightfully ruled that the plaintiffs had failed to show that the company's products were defectively designed or that Mr. White had not been warned about the risks of smoking." . .

In Conley, the judge ruled as a matter of law that the jury could not reasonably return a verdict for the plaintiffs, and entered a verdict in favor of the defendants -- Reynolds Tobacco and Philip Morris.

[Jump to full article »](#)**Categories**

- Lawsuits

**USA, by State**

- California

**Lawsuits**

- Conley

**Organizations**

- MO

- RJR

**☐ RJ Reynolds, Philip Morris win Calif. smoking suit****Jump to full article:** Reuters, 2002-12-31**Intro:**

A federal court judge in California on Tuesday entered a directed verdict in favor of the top two U.S. cigarette makers in a smoking suit, R.J. Reynolds Tobacco Holdings Inc. (NYSE:RJR) said.

The suit, known as Conley, was an individual smoking and health suit heard in the U.S. District Court for the Northern District of California.

In the trial, plaintiffs Elaine Conley, Weldon White and Dorothy White sought damages for the death of their father and husband, Frank Robert White, who died in 1999 at the age of 81, Winston-Salem, North Carolina-based R.J. Reynolds said in a statement. . .

After the plaintiffs rested their case, Judge Sandra Armstrong entered a verdict in favor of R.J. Reynolds and Philip Morris "because the plaintiffs failed to produce sufficient evidence to support their claims that the companies were responsible for the death of Frank White," R.J. Reynolds said in its statement.

[Jump to full article »](#)[Show Selected For Printing](#)

[Home](#) | [News](#) | [Quotes](#) | [Subscribe](#) | [Info Pages](#) | [Printable](#)  
News Articles Copyright by their respective owners.

Other material © 1995-2009 Tobacco.org, may be reprinted in non-commercial venues with appropriate attribution.

Exhibit 18 , Page 114



Full-Service Litigation Support

Trial Support Services | Courtroom Graphics & Media | Document Management | Video Services | **Audio**

Contact Us  
News  
FAQ



## News

### **The Data Company provides trial support in \$500 Million patent case**

MEMPHIS, TN - October 29, 2004 - A Memphis jury recently awarded over \$400 million in punitive damages to Dr. Gary Michelson. Dr. Michelson, a respected surgeon and inventor, filed a claim against Medtronic Sofamor Danek, a subsidiary of Medtronic Inc., for allegedly infringing on several Michelson patents...<< read more>>

### **The Data Company Helps IBM Win Its Employee Suit in Santa Clara, CA**

A California jury in February 2004 cleared IBM of liability in a lawsuit by two former workers who said their exposure to chemicals in a computer disk drive factory made them sick and ultimately gave them cancer, IBM spokesman Chris Andrews said...<<read more>>

### **Landmark Settlement in DVD Technology Copyright Suit**

In one of the largest copyright litigation settlements ever paid, in June 2003 MediaTek Inc. agreed to pay ESS Technology Inc. up to \$90 million, composed of a one-time license fee plus future royalties. <<read more>>

### **Microtune Victorious in Patent Infringement Trial**

A federal jury in Sherman, Texas, has found in favor of Microtune, Inc. in its patent infringement dispute against Broadcom Corporation. <<read more>>

### **California Jury Verdict Reverses Trend**

The top two U.S. tobacco companies, Philip Morris and R.J. Reynolds, won a major victory on February 7, 2003 when a jury found that they were not responsible for a Sacramento man developing cancer after smoking for nearly 40 years. <<read more>>

### **Directed Verdict in Conley Case**

The top two U.S. cigarette makers won a directed verdict recently in federal district court in California. <<read more>>

### **You've Put Us in the Inc 500**

**The Data Company** is pleased to announce its selection to the exclusive *Inc 500* list for 2002, coming in at number 152. <<read more>>

[back to top](#)

### **The Data Company provides trial support in \$500 Million patent case**

MEMPHIS, TN - October 29, 2004 - A Memphis jury recently awarded over \$400 million in punitive damages to Dr. Gary Michelson. Dr. Michelson, a respected surgeon and inventor, filed a claim against Medtronic Sofamor Danek, a subsidiary of Medtronic Inc., for allegedly infringing on several Michelson patents. Dr. Michelson currently holds over 200 U.S. patents and 450 foreign patents, most are specifically related to spinal fusion, surgical implants, and

Exhibit 18 , Page 15

#### Directed Verdict in Conley Case

The top two U.S. cigarette makers won a directed verdict recently in federal district court in California. In *Conley et al vs. R.J. Reynolds et al*, U.S. District Judge Sandra B. Armstrong ruled that the plaintiffs, the family of a deceased smoker, had presented insufficient evidence to back their claims that defendants R.J. Reynolds and Philip Morris were responsible for the smoker's death.

**The Data Company** provided defendants with extensive graphics, trial presentation and war room services.

The defendants' victory, which came shortly before jury deliberations were to begin, marked the first time the industry has prevailed in any smoking and health lawsuit that has proceeded to trial on the West Coast. In seven West Coast jury trials, panels in California and Oregon have awarded more than \$30 billion in damages in lawsuits brought by lung cancer victims, although these awards were later trimmed to a total of \$363 million.

In this case, plaintiffs Elaine Conley, Weldon White and Dorothy White sought damages for the death of their father and husband, Frank Robert White, who died in 1999 at the age of 81. White's children and widow argued that the man's death was caused by the companies' failure to make safer cigarettes or to provide adequate warnings of smoking risks.

White, who began smoking at 14, had heart disease and pulmonary disease when he died. However, he never developed lung cancer.

Defendants R.J. Reynolds and Philip Morris maintained that the plaintiffs had failed to show that their companies' products were defectively designed or that Mr. White had not been warned about the risks of smoking. **The Data Company** provided display boards, developed an electronic presentation, and participated in witness preparations for expert and party witnesses. Support for the trial team was provided around the clock from a San Francisco war room.

After the plaintiffs rested their case, Judge Armstrong entered a verdict in favor of R.J. Reynolds and Philip Morris. The judge ruled as a matter of law that the jury could not reasonably return a verdict for the plaintiffs, and entered the verdict for the defendants. **Stephen J. Kaczynski** of **Jones Day Reavis & Pogue**, lead counsel for R.J. Reynolds, praised the ruling. The judge "rightfully ruled that the plaintiffs had failed to show that the company's products were defectively designed or that Mr. White had not been warned about the risks of smoking," he said in a statement.

The suit was heard in the U.S. District Court for the Northern District of California in Oakland.

 [back to top](#)

#### You've Put Us in the *Inc 500*

**The Data Company** is pleased to announce its selection to the exclusive *Inc 500* list for 2002, coming in at number 152.

Currently in its 21st year, the *Inc 500* is Inc Magazine's renowned annual ranking of the fastest-growing privately held companies in the United States. These turbo-charged enterprises are the pulse of the real economy. They are fast-growth success stories that cross a wide range of sectors from consumer products,

Exhibit 18, Page 116